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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/669,771 09/26/00 MIZUKAMI

K 10517/73

EXAMINER

PM82/0926

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NEW YORK NY 10004

DIVINE, D

ART UNIT

PAPER NUMBER

3611

DATE MAILED:

09/26/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

<b>Office Action Summary</b>	<b>Application No.</b> 09/669,771	<b>Applicant(s)</b> MIZUKAMI ET AL.	
	<b>Examiner</b> David A. Divine	<b>Art Unit</b> 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \*   c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other:  |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. Figure 7 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

### ***Specification***

3. The incorporation of essential material in the specification by reference to a foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference. The amendment must be accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of the same material incorporated by reference in the referencing application. See *In re Hawkins*, 486 F.2d 569, 179 USPQ 157 (CCPA 1973); *In re Hawkins*, 486 F.2d 579, 179 USPQ 163 (CCPA 1973); and *In re Hawkins*, 486 F.2d 577, 179 USPQ 167 (CCPA 1973).

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 8, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Ford Taurus & Mercury Sable Taurus Repair Manual (Taurus).

Taurus teaches a structure in which a plurality of electrical equipments (ECA, relay block, junction/fuse box, ABS actuator, and metering unit) are arranged in a motor vehicle, the structure comprising an engine control computer (ECA), a relay block (power window relay integral with the fuse/junction box), a junction box (fuse box), an ABS actuator (Hydraulic control unit - HCU), and a meter unit (any instrument panel gauge);

the structure having a vehicle body that defines a space including a generally central region (between the inner fender walls) as viewed in a direction of the width of the vehicle;

wherein the electrical equipments are concentrated in the generally central region of the space defined by the vehicle body (all are located generally in the central region of the vehicle body);

wherein the vehicle body includes a partition wall (firewall) that separates the engine room from the cabin and a dash cross member that substantially extends in the vehicle width direction, and wherein the relay block and the junction box are

Art Unit: 3611

concentrated in said generally central region (page 12-3, fig.4.1 caption) as viewed in the vehicle width wise direction and in the vicinity of the partition wall (attached to the firewall);

wherein the meter unit (fuel and oil pressure gauges are located near the center line of the vehicle) is located in a generally central region of the cabin as viewed in the vehicle width direction;

and wherein said generally central region of the space defined by the vehicle body comprises a first region that is closer in the vehicle width direction to a centerline of the vehicle that extends in a longitudinal direction thereof, than a position at which a brake booster (page 1-4, brake master cylinder and booster) is located, and a second region that is symmetrical with said first region with respect to the centerline of the vehicle.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taurus in view of Toshihiro.

Taurus teaches the invention substantially as claimed, except for the junction box and relay block being constructed as an integral assembly and mounted at least partly

Art Unit: 3611

in a cowl. It is believed that the Taurus reference would likely have a cowl member, however this is not visible in the drawings, Toshihiro is used to teach this feature. It is noted that the use of cowl members in automobiles is a conventional practice in the automotive industry.

Toshihiro teaches a vehicle body having a cowl (fig.1 and 2) formed therein, and wherein a relay block (10) and a junction box (4) are formed as an integral assembly and mounted at least partly in the cowl.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to make the junction box and relay block of Taurus as an integral unit and place them within a cowl member, as taught by Toshihiro, because it would facilitate the check of wiring and the replacement of fuses (Toshihiro, Constitution).

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taurus alone.

Taurus teaches the invention substantially as claimed, except for the engine control computer being located in a generally central region of the engine room as viewed in the vehicle width direction.

It is conventional in the automotive art to mount the engine control computer to the firewall in a generally central region of the engine room as viewed in the vehicle width direction.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to locate the engine control computer of Taurus in a generally

Art Unit: 3611

central region of the engine room, because it would allow the computer to be mounted where it can dissipate heat more effectively into the engine compartment.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taurus in view of Subaru Legacy Automotive Repair Manual (Legacy).

Taurus teaches the invention substantially as claimed, except for the ABS actuator being located on a generally central portion of the dash cross member as viewed in the vehicle width direction.

Legacy teaches a vehicle having an ABS actuator (page 9-18, 1990-1996 models ABS control module is located in the dash) located on a generally central portion of the dash cross member as viewed in the vehicle width direction.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to locate the ABS actuator of Taurus on a generally central portion of the dash cross member as viewed in the vehicle width direction, as taught by Legacy, because it would be located in a more protected location that would keep the actuator from being damaged by rocks, water, or other debris.

10. Alternatively, claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taurus alone.

Taurus teaches all of the claimed components of the invention, but not the specific locations of the various components.

The location of various well known automotive components, such as those contemplated in the present invention, within a vehicle engine compartment is not a matter of invention. Given the well known purpose of reducing the length of a wiring

Art Unit: 3611

harness (mentioned by Tsutomu in the "Problem To Be Solved" section), it would have been obvious to one of ordinary skill in the art at the time the invention was made, to locate the various components close together in a generally central region of the engine compartment near the firewall.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Trublowski, Reagan, Gale, Maue, Brown Jr., and Potis.


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David A. Divine whose telephone number is 703-306-4816. The examiner can normally be reached on 8:00am-5:00pm, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J.J. Swann can be reached on 703-306-4115. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-308-2571 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist at 703-308-1113.

David A. Divine  
Examiner  
Art Unit 3611

DAD  
September 22, 2001

  
J. J. SWANN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600